



# LegisLetter

FLORIDA STATE UNIVERSITY GOVERNMENTAL RELATIONS

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## University Governance passes its first Committee in the House

Central among the higher-education issues being considered this session is the structure public universities will be required to follow. Among these is proposed legislation that seeks to clarify who will govern

the state's 11 public universities, which passed its first hurdle on Friday. **House Bill 1001**, by Representative Dudley Goodlette (R-Naples), provoked a fair amount of discussion in the House Education Ap-

ropriations Committee, but then passed unanimously and without any amendments. This bill attempts to clarify the governance structure of the State University System by defining the constitutional duties of the Board of Governors, as well as the Legislature. In particular, it proposes that the Board of Governors make decisions on new SUS schools and programs, while the Legislature would be allowed to make appropriations and tuition decisions. This bill, which would also place universities back under state-agency status, is on a fast track to pass the House, probably within the next two weeks. There is currently, however, no companion bill in the Senate.

Additional powers & duties outlined in the bill for the Board of Governors include:

- Adopting a strategic plan for the State University System as a whole
- Defining the distinctive mission of each university
- Ensuring the well-planned coordination and operation of the SUS
- Avoiding wasteful duplication of facilities or programs among SUS schools
- Approving, reviewing, and possibly terminating certain degree programs
- Directing SUS admission policies
- Serving as the collective-bargainer
- Refining the SUS personnel system

The bill would also define the duties of the Legislature that relate to the SUS:

- Appropriate all relevant laws during the Legislative Session
- Set tuition and fee rates for SUS schools
- Direct all policies related to merit- and need-based financial-aid
- Establish policies related to the expenditure of, accountability for, and management of any funds appropriated by the Legislature

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K-12 Education overhaul, Medicaid reform, revamping the growth management laws and stimulating the economy were the four major themes of the Governor's State of the State speech to the Legislature on the opening day of the 2005 Legislative Session last Tuesday. What was glaringly absent, though, was any mention of higher education, and not only in the Governor's speech, but those by the leaders of the House and Senate as well.

Now that the starting bell has officially sounded, and the tone has been set, the state's universities have their work cut out for them this session. Several bills were heard and amended last week, including House Bill 1001 pertaining to University Governance. The bill, which pulls the universities back into state agency status, is on a fast track for passage in the House. There is no Senate companion as yet. **(See the related story and Spotlight on Bills.)**

This week, the Senate will begin the budgeting process in earnest, with several budget workshops scheduled. They plan to have a printed bill out and ready for the amendatory process on the subcommittee level by March 23. The House will follow with their budget about a week later.

The Seminole and Gator legislative caucuses plan to meet this week, to discuss issues common to both universities. Presidents Machen and Wetherell will discuss tuition options, enrollment funding, pay raises and other important issues with the legislative alumni from both schools.

If you are interested in following the legislative process without leaving the comfort of your office, live and taped coverage of sessions and meetings are broadcast on the Florida Channel—24 hours a day during the session—which is local cable channel 4.

As always, please feel free to contact me with questions and comments, or to obtain copies of bills and their analyses. I can be reached at **(850) 644-4453** or by e-mail at [kdaly@govrel.fsu.edu](mailto:kdaly@govrel.fsu.edu).

Kathleen

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(This would include, but would not be limited to, policies relating to: budgeting, deposit of funds, investments, accounting—including purchasing, procurement, and contracting—insurance, audits, facility construction and

maintenance, property, bond financing, leasing, and information reporting.)

- Maintain files on the actuarial and fiscal-soundness of the organizations referred to above, as well as their eminent domain, certified

law enforcement, and sovereign immunity.

- Establish policies that relate to the health, safety and welfare of students, employees and the public, particularly during their time on campus.

# Spotlight on Bills

## **SPOTLIGHT ON BILLS—UPDATE**

**SB 528 University Major Gifts Trust Fund, by Senator Jim King, (R–Jacksonville, FSU Alumnus)**, was amended last week to limit the state’s total obligation for matching grants made prior to July 1, 2006, under the current matching criteria, not to exceed \$125 million. Gifts and pledges received by the Board of Governors Foundation, Inc., and each university before July 1, 2006, which are in excess of \$125 million are not eligible for state match until July 1, 2006. The companion bill in the House, **HB 67, by Representative Carl Domino (R–Palm Beach Gardens, FSU Alumnus)** is awaiting its first hearing.

**HB 119, Higher Education Finance Policy by Rep. Juan Zapata (R–Miami)**, was amended last week in the Colleges and Universities Committee to remove the excess hours language, and now deals with the just development of policies and procedures relating to program completion as well as a provision defining residency for purposes of tuition. It will next be heard in the Education Appropriations Committee. The companion bill, **SB 226 by Senator Frederica Wilson (D–Miami)**, was reported favorably in the Education Committee and is now in the Education Appropriations Committee.

**HB 21, Student Financial Assistance by Rep. Dick Kravitz (R–Orange Park)** was amended in the Colleges & Universities Committee last week to define “eligible Florida residents” as a student classified at the time of initial enrollment at a state university or community college as a resident for tuition purposes. It will next go to the Education Appropriations Committee. The Senate identical bill, **SB 866 by Senator Mike**

**Haridopolis (R-Melbourne)** is awaiting its first hearing.

## **SPOTLIGHT ON BILLS**

**H837, Student & Faculty Academic Freedom, by Rep. Dennis Baxley (R – Ocala, FSU Alumnus)**, provides student rights to academic freedom and provides postsecondary student & faculty academic bill of rights. The bill further defines student, faculty, & instructor rights and responsibilities. The bill was introduced in the Education Council and referred to the Choice & Innovation and College & Universities Committees. The Identical bill, **SB 2126, by Senator Stephen Wise (R–Jacksonville)** has been filed in the Senate. Both bills are awaiting hearings.

**HB 131, Centers of Excellence by Rep. David Mealor ( R–Lake Mary)** Allows the Florida Research Consortium, Inc. and the Emerging Technology Commission to adopt criteria for evaluating proposals for establishing or expanding Centers of Excellence at the 11 state universities. The Identical bill in the Senate, **SB 1444 by Senator Ron Klein (D–Delray Beach)** has been referred to the Education, Commerce and Consumer Services, Governmental Oversight and Productivity, Education Appropriations and Ways and Means Committees. Both bills are awaiting hearings.

**HB 393 University Building Designations by Rep. Aaron Bean (R–Fernandina Beach)** authorizes state university boards of trustees to name campus buildings and facilities for living persons. The bill has been referred to the Colleges & Universities, Governmental Operations, Education Appropriations

Committees and the Education Council. The identical bill, **SB 1186 by Senator Jeff Atwater (R–North Palm Beach)** has been referred to the Education, Governmental Oversight and Productivity and Rules and Calendar Committees. Both bills are awaiting hearings.

## **SESSION SCHEDULE**

### **SENATE**

**Thursday, March 17**  
1:00 p.m. to 3:00 p.m.

**Friday, March 18**  
9:00 a.m. until completion

### **HOUSE**

**Thursday, March 17**  
11:15 a.m. to 2:00 p.m.

**Friday, March 18**  
1:00 p.m. until completion



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